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OCT 26 2007

PUBLIC SERVICE
COMMISSION

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October 25, 2007

Beth O'Donnell
Executive Director
Kentucky Public Service Commission
211 Sower Boulevard
Frankfort, Kentucky 40601

Re: **CAC's Objection to Motion of Louisville Gas and Electric Company
And Kentucky Utility Company for Leave to Modify Procedural Schedule**
Public Service Commission, Case No. 2007-00319

Dear Ms. O'Donnell:

At the request of Joe Childers, I am enclosing an original and ten copies of the above-captioned pleading. Also enclosed is an extra copy of each to "date-stamp" and return to me for our file. A postage-paid envelope is enclosed for that purpose.

Thank you for your assistance. Please call me at (859) 259-1900, ext. 33 if you have questions regarding the enclosed.

Sincerely,



Patricia Pruitt
Secretary to Joe F. Childers, Esq.

Enclosures

tmp/letters/CAC/ltr Beth O'Donnell 10-25-07

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

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In the Matter of:

THE JOINT APPLICATION OF LOUISVILLE)
GAS AND ELECTRIC COMPANY AND)
KENTUCKY UTILITIES COMPANY DEMAND-)
SIDE MANAGEMENT FOR THE REVIEW,)
MODIFICATION, AND CONTINUATION OF)
ENERGY EFFICIENT PROGRAMS AND DSM)
COST RECOVERY MECHANISMS)
BROWNFIELD DEVELOPMENT RIDER)

CASE NO. 2007-00319

**CAC'S OBJECTION TO MOTION OF LOUISVILLE GAS AND
ELECTRIC COMPANY AND KENTUCKY UTILITIES COMPANY
FOR LEAVE TO MODIFY PROCEDURAL SCHEDULE**

Come now the Community Action Council for Lexington-Fayette, Bourbon, Harrison and Nicholas Counties, Inc. (CAC), P.O. Box 11610, Lexington, KY 40576, by and through counsel, and hereby tenders its objection to the motion of LG&E and KU to modify the procedural schedule. In support of this response, CAC states as follows:

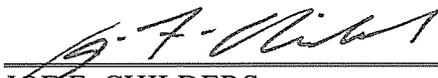
The motion of LG&E and KU states that it is a motion "for leave to file comments in response to intervenors' comments." (Motion, p. 1). However, there is nothing to prevent the companies from filing comments in accordance with the schedule established by the Commission. In its Order dated October 12, 2007, the Commission modified the previous procedural schedule by stating:

Any **party** desiring to file written comments on LG&E and KU's proposals shall do so no later than . . . 10/26/07." (Order, Appendix A, emphasis added).

Since both LG&E and KU are parties to the present action, there is nothing in the previous Orders of the Commission to prevent the companies from filing comments by the due date -- October 26, 2007.

Furthermore, the positions of the various parties have been well flushed out by the extensive data requests and responses thereto which have been filed in this action. Certainly, LG&E and KU cannot argue that they do not know what the position of CAC is with respect to the weatherization program, given the two extensive rounds of questions and answers. In short, the companies have not shown a compelling reason why the Commission should vary its procedural schedule for the third time. Upon motions of the Attorney General for extensions of time, the Commission has already moved the comment period back on two prior occasions (Order entered August 24, 2007 and Order entered October 12, 2007).

For the foregoing reasons, CAC respectfully requests the Commission to deny the motion of LG&E and KU to modify the procedural schedule in this matter.



JOE F. CHILDERS

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**ATTORNEY FOR COMMUNITY
ACTION COUNCIL FOR
LEXINGTON-FAYETTE, BOURBON,
HARRISON AND NICHOLAS
COUNTIES, INC.**

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing document has been served on the following persons by United States mail:

Allyson K. Sturgeon, Esq.
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and on the following persons by United States mail and facsimile transmission:

Kendrick R. Riggs, Esq.
W. Duncan Crosby, III, Esq.
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2000 PNC Plaza
500 West Jefferson Street
Louisville, Kentucky 40202
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on this the 25th day of October, 2007.



JOE F. CHILDERS

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